

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Marisa Berwald	Team: Team # 8	CCRB Case #: 200717811	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 12/06/2007 2:28 PM	Location of Incident: § 87(2)(b)	Precinct: 101	18 Mo. SOL 6/6/2009	EO SOL 6/6/2009	
Date/Time CV Reported Thu, 12/06/2007 12:00 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 12/11/2007 2:33 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. LT Gary Messina	00000	874530	101 PCT

Officer(s)	Allegation	Investigator Recommendation
A.LT Gary Messina	Discourtesy: Gary Messina acted rudely toward § 87(2)(b)	§ 87(2)(b)
B.LT Gary Messina	Discourtesy: Gary Messina spoke rudely to § 87(2)(b)	§ 87(2)(b)

Synopsis

§ 87(2)(b) made a complaint to the Internal Affairs Bureau on December 6, 2007. The CCRB received this complaint on December 11, 2007.

§ 87(2)(b) works at a § 87(2)(b) § 87(2)(b), located at § 87(2)(b) § 87(2)(b) in Queens. On December 6, 2007, kids from a high school across the street came to this restaurant and caused a disturbance. § 87(2)(b) called the police. Two officers responded. § 87(2)(b) identified the subject officer as Lt. Gary Messina of the 101 Precinct.

Apparently, both § 87(2)(b) and the owner of the store called the police over this incident. When Lt. Medina arrived he was angry. Lt. Messina said, “Why did you call? You better not call again, or something will happen to restaurant.” The high school kids laughed at her and said that they told her she shouldn’t call the police officer. Lt. Medina commanded § 87(2)(b) to stand in the middle of the restaurant, when she had customers to serve. Lt. Messina said, “Who fucking called the police? Why are you calling 911 again?” PO Messina grabbed the phone from § 87(2)(b)s hands and said, “Hang up the fucking phone.” Now § 87(2)(b) feels that she cannot call 911 and will try to call 911 less.

Lt. Gary Messina currently has one case pending board review: #200708237. The disposition of the allegation is exonerated. Lt. Gary Messina currently has one CCRB cases with investigation still pending: 200709836.

Mediation was explained to § 87(2)(b). It was explained that mediation is voluntary for herself and the officer. It was explained that mediation is non-disciplinary for the officer. At first § 87(2)(b) agreed to speak with the officer. After it was explained that if mediation did not work out the case would come back to investigation, § 87(2)(b) stated that it was pointless and she did not want to spend that much time. Then it was explained to § 87(2)(b) that if the case came back to investigation she would have the option to withdraw. § 87(2)(b) then agreed to mediation. Because § 87(2)(b) agreed to participate in the mediation process this case was forwarded to the ADR unit for processing.

Results of processing the case for mediation

This case was originally assigned to Patricia Whitaker of the Alternative Dispute Resolution (ADR) unit and was accepted for mediation on December 26, 2007 before being reassigned to the undersigned, Rachel Amo, on February 4, 2008. § 87(2)(b), § 87(2)(g)

4, 2008. § 87(2)(b), § 87(2)(g)

Recommendation

§ 87(2)(b), § 87(2)(g)

Mediation Coordinator: Rachel Amo

Date:

Mediation Director:

Date: